

Appointment Types and Career Status Policy

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§ 1. Purpose

The purpose of this policy is to explain appointment types, describe how an employee can receive a career appointment, and summarize eligibility for benefits by appointment type.

§ 2. Definition of Appointment

An appointment type defines the terms and expected duration of employment and benefits eligibility, and also determines how state policies apply to each position. Table 1, at the end of this policy, outlines benefit eligibility by appointment type.

There are seven appointment types within three categories:

1. Permanent:
 - Probationary
 - Experiential
 - Career
2. Non-permanent:
 - Time-Limited
 - Temporary
 - Experiential
3. Exempt

Offer letters and/or notifications of appointment type changes must clearly explain the conditions of the appointment type to the selected applicant or employee.

§ 3. Permanent Appointment Types

An employee receives a permanent appointment when they are placed into a permanent position that is established and expected to continue indefinitely.

§3.1 Probationary Appointment

Individuals receiving initial appointments to permanent positions must serve a probationary

period. Individuals who are rehired to a permanent position after a separation that results in a break in service must also serve a probationary period. A break in service is a period of separation of more than 31 days. The probationary period is an extension of the selection process. It provides the time for the new employee to demonstrate successful job performance or to be separated if performance or conduct do not meet agency or management expectations.

The probationary period is 12 months. Supervisors may extend a probationary period once by six months if the manager determines additional time is needed to observe employee performance or conduct prior to achieving career status.

Periods of extended leave of absence with or without pay do not automatically suspend or increase the duration of the probationary period beyond 12 months. Extended leave is defined as leave in excess of one-half of the regularly scheduled workdays and holidays in the month.

Employees who are hired by a State agency, department, or university into a sworn law enforcement position or forensic scientist position that requires completion of a formal training program prior to assuming law enforcement or forensic scientist duties with the agency shall become career State employees only after being employed by the agency, department or university for 24 continuous months.

§ 3.1a Supervisor Responsibilities during Probationary Period

Once the probationary employee is hired, as explained in the Managing Employee Work policy, supervisors must work with that employee to develop the employee's annual work plan. The supervisor is also expected to help probationary employees succeed; this includes:

- Ensuring the employee understands their job duties and the agency's values.
- Having regular, timely conversations about performance — including progress, concerns, opportunities, and achievements.
- Creating a supportive work environment by offering mentoring, addressing issues promptly, and encouraging long-term career growth.

The supervisor may separate a probationary employee who does not meet acceptable performance standards or for personal conduct detrimental to the agency during the probationary appointment. Supervisor must document the justification for the separation.

§ 3.1b End of 12-Month Probationary Period

At the end of the initial 12-month probationary period, the supervisor has three options:

1. **Move to Career Appointment:** If the supervisor determines that the employee's performance and conduct is successful and merits retention in the position, the employee will receive a career appointment to the position.
2. **Terminate Employment:** If the supervisor determines that the employee is not suited for the position due to performance or personal conduct, the employee's probationary appointment will end and the employee will be separated from the position.

A separation prior to achieving career status is not grievable except in case of discrimination. An employee alleging discrimination may file a complaint following the process outlined in the Employee Grievance Policy.

3. **Extend Probationary Period:** If the supervisor determines employee performance or conduct during the probationary period are insufficient for the supervisor to make a final determination about the employee's ability to perform the work successfully, the

supervisor may extend the probationary period by six additional months. The supervisor must document the specific justification for the extension. At the end of the extended probationary period, the action in 1 or 2 must occur.

§3.1c Personnel Changes not subject to a Probationary Period

A probationary period is not required when an employee with a permanent appointment has any of the following changes:

1. Promotion,
2. Transfer,
3. Demotion,
4. Reinstatement after leave of absence, or
5. Return of an exempt policymaking employee, exempt managerial employee, or confidential assistant to a career appointment.

§3.1d Probationary Period Required Following a Break in Service

Following a break in service of 31 days or more, an employee must serve a new 12-month probationary period.

§3.1e Local Government Transfers to State Employment

All employees transferring from a local government entity, whether subject to the State Human Resources Act or not, are required to serve a probationary period.

§3.2. Permanent Experiential Appointment

A permanent experiential appointment is an appointment to a position that is for a program for both employment and educational or training purposes, such as a registered apprenticeship, informal apprenticeship, fellowship, or other work-based learning program. It must only be used for roles for which the agency defines a work-based learning program prior to recruitment, except in cases of employees hired into a trainee status.

A permanent experiential appointment may last no longer than four years. The employee achieves a career appointment upon completing the program, if it is 12 months or longer. Prior to completion of the experiential program, they may be separated based on performance or conduct.

For experiential programs of less than 12 months, the employee will be given a probationary appointment following completion of the program until they reach the minimal 12 months required for a career appointment.

§3.2a Trainee Status

Trainee status is a type of permanent experiential appointment. As stated in the Pay Administration Policy, a trainee progression can be established where appropriate to allow hiring of trainees when knowledge or skills, for a job classification, are not available in the existing labor pool or cannot be learned in a short period. See the Pay Administration Policy for specific information on setting salary progressions for trainees.

Trainees need not meet the minimum education and experience requirements for the position. Trainees may be hired only if no qualified candidate remains under consideration who meets the minimum education and experience requirements. The employee must meet the minimum education

and experience requirements for the position within four years after the beginning of the trainee progression.

§3.3. Career Appointment

An employee will receive a career appointment to their position following the successful completion of the probationary period or if their time-limited appointment extends beyond three years of continuous employment in the same time-limited position.

A Career employee is a State employee who:

1. Is in a permanent position with a permanent appointment; and
2. Has been continuously employed in a position subject to the State Human Resources Act and successfully completed either their probationary period or their experiential program.

A career employee retains their career appointment if they transfer between Executive Branch agencies in positions subject to the act or if they transfer into a position that requires a longer probationary period than was served or into an experiential program.

§3.3a Separation After Achieving a Career Appointment

Once an employee has achieved career status, the employee may be separated from service for causes relating to performance of duties, grossly inefficient job performance or for unacceptable personal conduct by following the process outlined in the Disciplinary Action Policy. The career State employee may appeal the separation by following the process outlined in the Employee Grievance Policy.

§4. Non-permanent Appointment Types

An employee receives a non-permanent appointment when they are hired into a time-limited or temporary position established and expected to continue for a finite period of time.

§4.1. Time-limited Appointment

A time-limited appointment is an appointment that has a limited duration. A time-limited appointment may be:

1. Made in a permanent position that is vacant due to the current position holder's leave of absence. Time-limited appointments in a permanent position may only be made when the replacement employee's service will be needed for a period of one year or less.
2. May be made in a time-limited position. If an employee is retained in a time-limited position beyond three years, the employee shall be designated as having a permanent appointment and must be moved to a permanent position.

§4.2. Non-permanent Experiential Appointment

1. The employee does not achieve a career appointment upon completing the experiential program.
2. A non-permanent experiential appointment may last no longer than four years.
3. A non-permanent experiential appointment is an appointment to a position that is for a program for both employment and educational or training purposes, such as a registered apprenticeship, informal apprenticeship, fellowship, or other work-based learning program. It must only be used for roles for which the agency defines a work-based

learning program.

§4.3. Temporary Appointment

A temporary appointment is an appointment for a limited term to a permanent or temporary position. Temporary employment cannot exceed 11 consecutive months without falling within a statutory exception or an exception from the Director of OSHR¹. Other than the statutory exceptions, no temporary appointment may exceed 22 months.

§4.3a Statutory Exceptions to 11 Month Limit

There are five statutory exceptions to the 11-month limit:

1. **Externs.** Students who, regardless of the number of credit hours enrolled, are employed as part of a written agreement between the agency and an academic institution through which the students are paid and earn course credit.
2. **Full-time students.** Students considered to be full-time students by their institution of higher education.
3. **Interns.** Students, who regardless of the number of credit hours enrolled, are working to gain occupational experience for a period of at least one academic semester.
4. **Offenders.** Individuals in the custody of the Department of Adult Correction and participating in a work release program.
5. **Retired employees.** Individuals who are drawing a retirement income and/or Social Security benefits and sign a statement that they are neither available for nor seeking permanent employment.

§5. Exempt Appointments

An appointment to position designated by statute as exempt. N.C.G.S. §126A-1-20 and N.C.G.S. §126A-1-22 identifies the positions that are exempt and which provisions of Chapter 126A do not apply to each group of positions.

- An employee must receive written notice at least 10 working days prior to being placed in an exempt position.
- Exempt positions that are posted or otherwise recruited for need to include notification that the position is exempt.
- Offer letters must clearly explain the conditions of the appointment type to the selected applicant or employee.

§6. Eligibility for Employee Benefits

Eligibility for employee benefits such as accrued leave, paid holidays, state service, retirement and health insurance benefits is based on an employee's type of appointment and the number of hours regularly scheduled to work in the workweek. Table 1 provides eligibility by appointment type for full-time (40 hours per week) employees. Part-time employees and employees with exempt appointment types should consult HR for benefit eligibility.

¹ See N.C.G.S. 126A-11-2(f)(2) for requirements that must be met to receive an exception to the 11-month limit.

Table 1: Benefit Eligibility by Appointment Type for Full-time Employment

	State Service	TSERS	SHP	Social Security	Leave	Holidays	Severance	RIF Priority
All Permanent Appointment Types								
Probationary	✓	✓	✓	✓	✓	✓	✓	✓
Permanent Experiential	✓	✓	✓	✓	✓	✓	✓	✓
Career	✓	✓	✓	✓	✓	✓	✓	✓
Non-permanent Appointment Types								
Time-Limited	✓	✓	✓	✓	✓	✓	x	x
Non-perm Experiential	✓	✓	✓	✓	✓	✓	x	x
Temporary	x	x	HDHP	✓	x	x	x	x
Exempt Appointment Types								
Exempt	✓	✓	✓	✓	<i>Varies by exemption type, consult HR</i>			

SHP = State Health Plan

TSERS = Teacher and State Employee Retirement System, a defined benefit pension.

HDHP = High Deductible Health Plan

Disclaimer: Table 1 is a high-level summary of eligibility for benefits. For example, all exempt employees receive paid parental leave and bereavement leave. Employees should review the associated policy for specific provisions related to their benefits. For retirement and health insurance benefits, contact the N.C. Office of the State Treasurer.

§7. Sources of Authority

- N.C.G.S. § 126A-1-10
- N.C.G.S. § 126A-1-11
- N.C.G.S. § 126A-1-20
- N.C.G.S. § 126A-1-22
- N.C.G.S. § 126A-5-1(a)(5)
- N.C.G.S. § 126A-9-1

Note: Policy History moved to a separate document.